DOCUMENT RESUME

ED 466 678 UD 035 075

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TITLE	Race-Ethnicity, Class and Zero Tolerance Policies: A Policy Discussion.
PUB DATE	2002-04-00
NOTE	41p.; Paper presented at the Annual Meeting of the American Educational Research Association (New Orleans, LA, April 1-5, 2002).
PUB TYPE	Reports - Evaluative (142) -- Speeches/Meeting Papers (150)
EDRS PRICE	EDRS Price MF01/PC02 Plus Postage.
DESCRIPTORS	*Discipline; *Educational Environment; Elementary Secondary Education; Equal Education; Expulsion; Minority Group Children; Public Schools; Racial Discrimination; School Culture; *Student Behavior; Suspension; *Zero Tolerance Policy

ABSTRACT

This paper presents a history of zero tolerance policies, discusses the breadth and scope of zero tolerance policies in U.S. public schools, examines unintended consequences of zero tolerance policies (especially those conflicting with basic philosophical tenets of the public school system), and makes recommendations for creating and implementing sound zero tolerance policies. Current zero tolerance policies can be traced to the 1980s. They have proliferated since the 1994 signing of the Gun-Free Schools Act. The most prevalent zero tolerance policies are uniforms, closed campuses, controlled access to school, drug sweeps, random metal detector checks, and entrance way metal detectors. Research does not definitely say that zero tolerance policies are effective. These policies are inequitably directed at minority students (except Asian/Pacific Islanders). Generally, zero tolerance policies are unjust because they are blanket policies covering certain behaviors without considering the context in which such behavior occurs. The paper presents an analysis of the cultural and structural basis of student behavior, describing the oppositional stances taken by minority and low-income youth. As student behavior continues to present challenges for educators, many have turned to zero tolerance policies, which may exacerbate inappropriate behavior. Recommended strategies include creating equitable and reasonable zero tolerance policies that are not primarily punitive and that take into account the context of student behaviors. (Contains 60 references.) (SM)

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ED 466 678

Race-Ethnicity, Class and Zero Tolerance Policies: A Policy Discussion

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National Education Association

Paper to be delivered at the Annual Meetings of the American Education Research Association, New Orleans, LA. 2002.

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Race-Ethnicity, Class and Zero Tolerance Policies: A Policy Discussion

I. Introduction

School crime and violence data indicate that serious incidents in schools have declined significantly (Kaufman et al. 2001). While this is certainly good news, there are still signs that other kinds of less serious school incidents continue to pose important challenges for education employees. For example, in 1999 13 percent of high school students said they were the targets of hate-filled words and 36 percent said they were the targets of hate graffiti. Drug use also remained at levels that should concern us: in 1993 5 percent of high school students said they had used alcohol on school grounds in the last thirty days, and 5 percent registered the same response in 1999. Also, marijuana use increased between 1993 and 1999—6 percent in 1993 and 7 percent in 1999.

There are at least three reasons why these data should be of concern to us all. To begin with, a considerable body of research indicates that unless these less serious kinds of behavior are stopped, many youth begin to engage in more serious behavior as they age and move through the educational system (Loeber and Stouthamer-Loeber 1998). Second, as the horrific school shootings in recent years attest, youngsters who are victims of bullying and harassment can and do retaliate with violence of their own. Finally, as these less serious problems continue to present challenges to school officials and employees, many have turned to policies that may exacerbate rather than resolve inappropriate student behavior. One such policy has been zero tolerance.[1]

Currently, over 90 percent of U.S. public schools have some type of zero tolerance policy in place (Kaufman et al. 2001). Unfortunately, there is mounting evidence that such

policies are neither effective nor implemented in a manner that is child-centered or equitable (Henderson & Verdugo in press; Skiba and Petersen 1999; Verdugo 2000). Such policies are meant to punish and not to educate children. In addition, it appears that zero tolerance policies disproportionately sanction ethnic-racial minorities (Henderson & Verdugo in press).

That zero tolerance policies fail to accomplish what they are intended to do, and also create problems of equity raises a profoundly fundamental question about schools and the relationships they have with a large segment of their student populations. Schools fail to understand the contexts from which many of their students come, and students fail to understand that schools are not places where some community-based behavior is allowed. School culture is vastly different from the culture from which students originate.

We are not, in principle, against zero tolerance policies. However, we are adamantly against school policies that are not child-centered and which also discriminates, unwittingly or not. With this in mind, the purpose of our paper is to present a set of recommendations for the creation and implementation of sound school discipline policies, including zero tolerance policies. In pursuing this goal we have the following objectives:

- Provide a brief history account of zero tolerance policies
- Discuss the breadth and scope of zero tolerance policies in U.S. public schools
- Discuss some of the unintended consequences of zero tolerance policies; especially those that conflict with basic philosophical tenets of the American public school system

- Finally, we propose a set of recommendations for creating and implementing sound school zero tolerance policies. Our recommendations are based on a framework we develop by synthesizing two important bodies of educational research—*cultural* and *structural* arguments about race and class in the U.S. educational system.

II. Background

History

Current school-based zero tolerance policies can be traced to the 1980s.[2] The national database, Lexis-Nexis, first mentioned the concept of zero tolerance in 1983, when the U.S. Navy reassigned some 40 sailors for suspected drug abuse. In 1986, a U.S. attorney in San Diego, California used the term to define a program aimed at impounding seacraft used for carrying drugs. In 1988, zero tolerance drew national attention when then U.S. Attorney General Edwin Meese authorized customs agents to seize vehicles used in transporting drugs across U.S. borders and to charge such persons in federal court. Thereafter the zero tolerance concept was applied to a variety of social programs, including environmental pollution, trespassing, skateboarding, racial intolerance, homelessness, sexual harassment, and boom boxes.

By the end of the decade, the zero tolerance movement began to fade in these areas and yet found their way into schools. The U.S. Customs Service quietly discontinued its practice because of the controversy it created and because the ACLU was filing lawsuits against the agency. But in 1989, school districts in Orange County, California, Louisville, Kentucky began implementing zero tolerance policies in their schools. In New York, Donald Batista, Superintendent of the Yonkers school system applied a zero tolerance

policy to disruptive students. The Batista policy contained many of the features we see in today's zero tolerance policies.

By 1993, a significant number of schools had adopted zero tolerance policies that were aimed at drugs, tobacco, weapons, and school disruption. Then in 1994, President Clinton signed the Gun-Free Schools Act, mandating expulsion for one calendar year for the possession of a weapon and referral of the student to a criminal or juvenile court.

Since the signing of the Gun-Free Schools Act, zero tolerance policies have proliferated in schools. As shown in Table 1, data from the U.S. Department of Education indicate that a majority of public schools have such policies. More than 75 percent of schools in the U.S. had some type of zero tolerance policy in place by 1996. The two most frequent zero tolerance policies address firearms (94 percent) and other weapons (91 percent).

Table 1 about here

The Pervasiveness of Zero Tolerance Policies in U.S. Public Schools

Zero tolerance policies in general. Through the 1990s, zero tolerance school policies proliferated. A closely related topic concerns the prevalence of zero tolerance policies by selected school traits. For instance, are such policies more prevalent in urban or in rural areas? Data from the U.S. Department of Education (Kaufman et al. 20001) indicate the following—

- Instructional level: the more serious type of student offense, the more likely are zero tolerance policies to be linked to higher grade levels

- School size: the greater the school size, the more likely are schools to have zero tolerance policies
- Locale: zero tolerance policies are more likely to be found in the inner city than in the suburbs or in rural areas
- Region: zero tolerance policies are more likely to be found in the western and southeastern regions of the country
- Percent minority students: the greater the percent minority students, the more likely are zero tolerance policies to be found
- Free or reduced lunch program: the greater the percentage of students on free or reduced lunch programs, the more likely are zero tolerance policies to be found

Data may be found in Table 2.

Table 2 about here

Zero tolerance policies by procedures. Certain zero tolerance policies are more prevalent in U.S. public schools—uniforms, closed campuses, controlled access to school, drug sweeps, random metal detector checks, and students passing through metal detectors. We examine data for each of these practices by percent minority and by percentage of students on free or reduced lunch programs.

School uniforms is a practice that is linked to zero tolerance policies. Nationwide, only about three percent of public schools have such policies. However, such a policy seems to be linked to race and socioeconomic status. That is, schools with higher percentages of minority students are also more likely to have school uniform policies.

Moreover, schools where greater numbers of students are on free or reduced lunch programs are also more likely to have a school uniform policy. Data may also be found in table 2.

Table 3 presents data on the other kinds of school practices that have been linked to zero tolerance policies. These practices include closed campus, controlled access to school, drug sweeps, random metal detector checks, and students passing through metal detectors.

Table 3 about here

Among all public schools, 80 percent have policies that close campus during lunch. A majority of schools (53 percent) have policies that control access to school buildings, and about one quarter (24 percent) have similar policies for school grounds. About one-in-five U.S. public schools say they have one or more drug sweeps, four percent say they have random metal detector checks, and only one percent say they have students pass through metal detectors. Other important data include—

- Percent minority: the greater the percent minority student enrollment, the more likely are closed campus policies, controlled access to school buildings and to school grounds, and the use of metal detectors
- Free or reduced lunch programs: the greater the percentage of students on free or reduced lunch programs, the more likley are polices that stress closed campus, controlled access to school buildings and grounds, and the more likely are students to pass through metal detectors

Another zero tolerance policy that has received much national attention is the presence of police or other law enforcement representatives on school grounds. In the school year 1996-97, the most recent year for which such data are available, about 6 percent of U.S. public schools reported having a law enforcement representative stationed at school 30 or more hours per week. One percent of U.S. public schools say they have law enforcement presence from 10 to 29 hours per week, and 3 percent from one to nine hours per week. Moreover, 12 percent of public schools indicate that they had no law enforcement presence during a typical week, but that such presence is available if needed; and 78 percent of schools indicated that they did not have law enforcement present at all during the 1996-97 school year. Other important data include:

- Percent minority: law enforcement presence on school grounds was more likely to occur in schools with greater percentages of minority students
- Percent students on free or reduced lunch programs: there is only a slightly greater probability of law enforcement presence in schools with large percentages of students on free or reduced lunch programs

Data may be found in table 4.

Table 4 about here

Selected school sanctions have been linked to zero tolerance policies. For instance, expulsions, transfer to alternative educational environments, and out of school suspensions. Data in table 5 present information on such sanctions. Unfortunately, these data could not

be examined by percent minority or by the percent of students on free or reduced lunch programs.

Table 5 about here

Our data indicate:

- Most infractions involve fights and the activities related to drugs and alcohol
- Only five percent of schools took actions for students using or possessing a firearm on school grounds
- Nearly a quarter of schools (22 percent) took actions against students who possessed or used a weapon other than a firearm

How Effective are Zero Tolerance Policies?

It has been many years since schools actively began adopting zero tolerance policies, and an important question for many educators, decision makers, and concerned citizens is how effective have these policies been? It is difficult to directly answer this question because a solid research base has yet to emerge. None the less, we can take an indirect route by summarizing what some related research says. First, we identify some zero tolerance practices and what the research says about their effectiveness. Second, we examine data that link student behavior with zero tolerance policies.

Table 6 summarizes some relevant research about zero tolerance practices and their effect on student behavior. Generally, this body of research/policy analysis presents a very sketchy picture about the success of zero tolerance policies. Either the evidence does not exist, and when it does exist, a loud and clear message is not provided.

Table 6 about here

A second approach is to examine data related to student behavior and a zero tolerance policy. A number of comprehensive studies and data collection efforts can assist us in gaining some understanding about the effectiveness of zero tolerance policies.

- Heaviside et al (1998) found that among the schools with no reported crime, only 5 percent reported moderate or stringent security measures. On the other hand, 39 percent of schools reporting serious violent crimes reported using moderate or stringent security.
- Mayer and Leone (1999) found that rules were more effective than security measures in reducing school crime and violence. Indeed, security measures were correlated with increased rates of school violence.

These data are a bit misleading because it may be that schools exhibiting more problems actually need to have security measures in place. The causal direction is not clear, and until rigorous analyses are completed we simply do not have a solid idea about the effectiveness of zero tolerance policies.

Expulsions and Suspensions

Table 7 presents data on the out-of-school suspensions for students for the school year 1997. Data are stratified by race and ethnicity, and are from the U.S. Department of Education, Office for Civil Rights. It is clear that ethnic racial minorities have higher suspension rates than whites. The one exception are Asians/Pacific Islanders whose rate is

the lowest among the groups represented in the table. Black students (13 percent) and American Indian/Native Alaskan student (7 percent) have the highest expulsion rates.

Table 7. Out of school suspensions: 1997

Race/Ethnicity	Suspensions	Enrolled	Suspensions As A Percent of Enrollment
American Indian/Alaskan Native	37,055	521,292	7.11
Asian/Pacific Islander	58,107	1,811,691	3.21
Hispanic	424,200	6,506,399	6.52
Black	997,596	7,720,274	12.92
White	1,596,558	28,990,899	5.51
Total	3,113,515	45,550,555	6.84

Source: U.S.Department of Education. 1999. Elementary and Secondary School Civil Rights Compliance Report: National and State Projections. Washington, DC: Office for Civil Rights.

If we can assume that zero tolerance policies are the driving forces behind these data, then they re-emphasize our earlier point about equity. That is, with the exception of Asian/Pacific Islander minority students, zero tolerance policies appear to be inequitably directed at minority students.

III. Zero Tolerance Policies and Their Consequences

Zero Tolerance Policies and Equity

The application of zero tolerance policies raises questions about equity in education. There are at least two reasons for making this statement. First, as we saw in

section II, ethnic-racial minority students are more likely than non-minority students to be suspended from school. So the application of zero tolerance policies inequitably to minority students, especially African American male students, raises serious questions about equity.

Second, there are serious equity issues raised when we examine the reasons for which students are suspended or expelled from school. A question that is frequently asked when suspensions/expulsion data are examined is that perhaps ethnic/racial minority students are disproportionately sanctioned because they disproportionately engage in inappropriate behavior in school. This is, however, not the case. Examination of data as to why students are suspended/expelled leads to an interesting conclusion. Minority students, especially African American male students, are more likely to be suspended because they "appear threatening," or they are disrespectful. In contrast, White students are disproportionately suspended for guns, weapons, and drug violations (Skiba 2000). The fact that Whites are sanctioned for clear violations, whereas minority students are sanctioned for ambiguous reasons raises a second equity issue.

Generally, zero tolerance policies are unfair and unjust because they are blanket policies covering certain behaviors without considering the context in which such behavior occurs. Under these conditions, such policies are unfair (Curwin and Mender, 1999: 1):

"...zero tolerance, despite its appearance of fairness is inherently an unfair policy. A doctor is not fair if he prescribes chemotherapy for two patients with headaches—one with a brain tumor and the other with a sinus condition—regardless of the similarity of symptoms."

Zero Tolerance Policies and Fundamental Educational Principles

There are certain educational principles that form the ideological substructure of the American educational system. One of these principles is the right to an education, a second is the equitable treatment of children.

Right to an education. The right to a free public education was a hard fought right won by the working classes at the turn of the century. By expelling or suspending children from school, this right is being denied. The denial of this right is especially troublesome when we consider that many students are expelled for violations of school policy that are ambiguous.

Treating children equitably. The ideals schools impart to students must be demonstrated on a daily basis. If there is a discrepancy between the ideal and school practices, then the message will be lost and schools will be seen as hypocritical or irrelevant. As we have seen, in recent years, many zero tolerance policies are at odds with the fundamental American ideal of about fairness and equity. Moreover, they seem to lack a sense of being child-centered.

IV. Developing Sound Zero Tolerance Policies: A Framework

Given the many problems currently plaguing zero tolerance policies, we have a set of recommendations for developing sound zero tolerance policies. Our set of recommendations is based on a framework we develop below.

Cultural and Structural Arguments about Student Behavior

The Cultural Argument

The most prominent hypothesis from the Cultural paradigm concerns the oppositional stances taken by minorities and working-class youth toward schools and the behavioral and value expectations in that institution. By oppositional culture, I mean that the views, beliefs and behaviors of youth are counter to those of mainstream society. The research in this area is quite extensive and covers race, ethnicity, and class.

Before reviewing this body of research, we should briefly provide an overview and summary. This body of research makes, essentially, three points. First, it argues that the origins of the oppositional responses by minority and poor youth are based on the real and perceived structural barriers youth see as limiting their life chances. Second, these perceptions and realities lead certain youth to oppositional attitudes and behaviors. Finally, as a result, students who have these oppositional viewpoints, dropout and/or resign themselves to a working-class or "street" life.

In this section I cover three bodies of research from the Cultural paradigm; each focuses on a specific ethnic/racial group. I begin with that body of research focusing on African American youth, and the oppositional culture framed by the "code of the street." A second body of research driven by the Cultural paradigm focuses on Chicano youth and their objective of being "Vatos." Finally, I review a body of work that focuses on working-class white youth whose goal is to be working-class "manual workers."

African American Youth: Code of the Street. A number of social scientists have argued that African American youth, especially those in the inner city, are sabotaging their own

academic careers because of the oppositional stances they take toward education and school (Ogbu 1987, 1990; Fordham 1996; Anderson 1994, 2000; McWhorter 2000). At the core of this oppositional stance is the "code of the street." Anderson (1994: 82) has this to say:

> ...called a code of the streets, which amounts to a set of informal rules governing interpersonal public behavior, including violence. The rules prescribe both a proper comportment and a proper way to respond if challenged. They regulate the use of violence and so allow those who are inclined to aggression to precipitate violent encounters in an approved way. The rules have been established and are enforced mainly by the street-oriented, but on the streets the distinction between street and decent is often irrelevant, everybody knows that if the rules are violated, there are penalties. Knowledge of the code is thus largely defensive; it is literally necessary for operating in public.

The Code's key concept is respect; something that is not available in the wider society. Within oppositional culture, respect is not easily attained and a tremendous amount of energy and effort are spent maintaining one's respect. A set of rules and regulations about how one obtains and maintains respect are part of the code. To attain and maintain respect, one's entire demeanor and presentation of self focus on the "potential for violence." Clothing, speech, and movement are all part of the package. A person who has respect is not "bothered" and even the most minor slight can lead to serious physical confrontations.

Getting and maintaining respect is also part of one's identity, and a central issue among scholars adhering to the cultural paradigm. To be a respected person, one must know the code of the street, and if one does not have respect they are diminished as a person and do not deserve things that are valued in their very narrow social system. There is, then, a certain meritocracy to the code of the street; everyone has the opportunity to know and understand the code and follow its prescriptions. Everyone is also held

accountable for knowing the code; if one does not know the code and becomes a victim, well then too bad, it's their fault.

The process of getting respect is crucial. In gaining respect, one must exhibit nerve. One exhibits nerve by taking someone else's possessions (the greater the value, the greater the nerve), "messing" with someone else's woman, throws the first punch, gets in someone else's face, or pulls a trigger. Such public displays of nerve are symbolic--that an individual has nerve and will take drastic measures to get and maintain respect. The flip side is, of course, that the display of "nerve" can lead to life threatening situations.

The proper display of "nerve" also sends another public message: that one is not afraid to die. Among the hard core street youth, dying to get and maintain respect is perfectly acceptable. As Anderson (1994: 92) points out:

> Not to be afraid to die is by implication to have few compunctions about taking another's life. Not to be afraid to die is the quid pro quo of being able to take somebody else's life—for the right reasons, if the situation demands it. When others believe this is one's position, it gives one a real sense of power on the streets. Such credibility is what many inner-city youths strive to achieve, whether they are decent or street-oriented, both because of its practical defensive value and because of the positive way it makes them feel about themselves.

The implications that oppositional culture have for education are varied, but they can be summarized by noting that youth embroiled in such a system reject or do not value educational values, beliefs, and behavior. The most often cited examples of the oppositional culture, in terms of education, are the concepts "selling out," and "acting White." Thus, students reject the value of academic performance, and other mainstream values that stress achievement and attachment to mainstream institutions.

Hispanic Youth: Being a" Vato"[3] Fordham and Ogbu (1986) and Ogbu and Matuti-Bianchi (1986) make an important contribution to this area of study by distinguishing between voluntary and involuntary immigrant minority groups. As a result of structured inequality and prejudice, involuntary minorities believe that economic success can only be accomplished by adopting the cultural and linguistic traits of the superordinate culture. For high achieving Latinos (and Blacks as well), this puts them in a bind because they are placed in the unenviable position of choosing between maintaining their ethnic identities or achievement. Achievement to some members of this ethnic group translates to "acting white." For many Latinos, the choice is clear—

> To be a Chicano means to hang out by the science wing; it means, not eating lunch in the quad where all the gringos, "white folks" and school boys eat; it means cutting classes by faking a call slip so you can be with your friends by 7-11; it means sitting in the back of a class of "gabachos" and not participating; it means not carrying books to class or doing your homework; it means doing the minimum to get by. In short, it means not participating in school in ways that promote academic success and achievement (Matuti-Bianchi 1986: 253).

In other words, being a "Vato" means acting and presenting oneself in a manner that undermines mainstream white culture.

Foley (1991) discovered similar findings in his study of Chicano youth in South Texas. Foley found that some Chicano students come to school with a set of ideas and attitudes that undermined their academic success. Three traits were especially important among Chicano youth: Chicanos form separatist groups (become "Vatos"), they fail to follow rules and regulations, and they "ditch" school rather than do school work. The reasons for such behavior are because of the school's hidden curriculum (degreades them, their families, and their culture), and they do not see economic opportunities, regardless of their school performance (Foley 1992).

Working Class Youth: Manual v. Mental Labor. In a classic study of working-class "lads" in a decaying, industrial city in England, Willis (1977) found that such youth developed an oppositional culture to school. Specifically, Willis' working-class lads rejected the school's achievement ideology, subverted teachers and administrators, and frequently disrupted classes.

There were very logical reasons why the lads had such attitudes and displayed such behavior. They had come to realize the inferior economic and social conditions of their class under capitalism. Very few of their fathers, older brothers, and friends had jobs; and fewer yet had jobs that required an advanced education. Consequently, the lads focused their energies on manual labor over mental labor. Such stances had tragic consequences; the uncritical acceptance of this ideology led many of them to bad, dead-end jobs and reproduced class-based inequality.

Similar results were unearthed in a study by Mac Leod (1987) in a study of working-class youth in Boston. Mac Leod was able to identify two groups of students, one group called themselves the "Hallway Hangers" and were comprised primarily of white youth, and the "Brothers" made up of Black youth. The Hallway Hangers cut classes, acted out in class, smoked, drank, used drugs, and committed crimes. They did whatever they could to oppose the school's ideology of achievement and conformity. In contrast, the Brothers attempted to fulfill mainstream roles: they went to class, conformed to rules, studied hard, rejected drugs, played basketball, and cultivated girlfriends. Why were they so different in their reactions to school?

Mac Leod's analysis is instructive in offering reasons why the Brothers did well and the Hallway Hangers did not. Mac Leod argues that cultural factors shaped different responses. The Brothers were optimistic about their futures and the role of education in shaping their future success. In addition, the parents of the Brothers held high expectations for their sons and held them accountable for their academic and social behavior. Parents of the Hallway Hangers were not nearly as involved in the lives or education of their children. Their children were given free rein and their school work was not monitored.

The Structural Argument

The Structural argument is that institutions and their agents erect barriers for certain kinds of student populations. These barriers tend to have their desired effect by leading to lower academic performance and greater dropout rates among minority and poor children.

Some scholars have defined structure in terms of political economy (Noguera 2001; Wilson 1978, 1987; Massey and Denton 1993; Tabb 1970). That is, the operation of social institutions affects educational opportunity, e.g., the labor market, the educational system. Their argument is that the "practices" and policies in such institutions deny or create barriers for upward mobility, and that these obstacles are the main cause of academic failure or low academic performance among minority and lower-class students. Three concepts are particularly crucial to the Structural argument—isolation, school policies, and school climate.

Student Isolation. The driving concept of the Structuralist paradigm is *isolation.* Schools are places for the instruction of the values and norms one needs for participation in a social system; that is, how to follow and obey rules and regulations (Apple 1982; Bowles

and Gintis 1973; Spring 1994; Loewn 1995). Through its practices and policies, schools tend to isolate or separate African American students from other students, either mentally or physically. Both practices are important because there is a link between school climate and school structure (Brookover and Erickson 1969; Epstein and Mac Iver 1992; Lee and Bryk 1988; Irvine 1990; Morrow and Torres 1995), and both are tied to student performance. Moreover, research indicates that access to experiences and/or activities that are primarily academic, as well as teacher encouragement are especially important for the academic performance of minorities, especially African American students (Foster 1997; Irvine 1990; Ladson-Billings 1994; Lee 2000; Sanders and Reed 1995). Research also suggests that socioeconomic origins and race have direct effects on how students are treated and the set f expectations educators have about such students (Brookover and Erickson 1969; Verdugo 1986). An important isolating practice is tracking.

Tracking—A considerable body of research indicates not only that minorities and poor students tracked into lower classes (Simmons and Grady 1992; Wright 1996; Oakes 1985), but that special education classes and learning disabled students are disproportionately represented by minorities and poor children (Harry and Anderson 1999). Once students are placed in low tracks it is difficult, if not impossible, for them to get out. So their entire educational career may be dealing with the label and stigma of being a slow learner by both students and educators. For example, from an early age African American males are treated differently (Slaughter-Defoe and Richards 1994). Most often African American males are seen as problems, including defiant, aggressive, deficient , and intimidating (Majors et al. 1994; Slaughter-Defoe and Richards 1994). It is little wonder that African American males begin to disengage from school at an early age and that their

disengagement increases as they progress through the educational system (Carter 1999). Tracking creates structured systems of unequal educational opportunities.

School Policies. An important contributor to the disengagement of minority and poor students from school are school policies. Research has shown that minorities are punished more severely and more frequently that other students (Harry and Anderson 1999; Sandler 2000; Ferguson 2000; Skiba and Peterson 1999; Henderson and Verdugo in press). Indeed, schools appear to be places where minorities and poor students are marginalized and subject to negative stigmatization. Schools fail to support such students in a manner that would enhance their academic performance.

School Climate. School climate has been implicated in the poor educational experiences of minority and poor children. Of particular interest is the interaction between race and gender. Schools are places where gender identities and roles are learned, practiced, and influence social interaction. For minority male students, gender is important in the school context because research suggests that they tend to see schools as feminized environments (Thorne 1993). The importance given to neatness, orderliness, and other kinds of practices in school are seen as feminine traits, and more importantly such school traits are reinforced by a predominantly female teaching force.

Schools are places in which the roles associated with race are learned. To be sure, schools are not the only place individuals learn the meaning of race and ethnicity, but for children undergoing the process of developing their identities schools are important. Schools are important because students spend a great deal of their day in such an environment, continuously interacting with students from other races and ethnic groups, and because one function of schools is to assist in developing one's identity. Thus, schools

are places where children learn about the significance of race and begin to understand its ideological dimensions (Miles 1989; Apple 1982; Dyson 1994; Troyna and Carrington 1990; Peshkin 1991; Tatum 1992; Cross et. al. 1991; Metz 1978). Students learn these dimensions through a variety of manifest and latent rituals in the school: teachers' lesson plans, the hidden curriculum, play, name calling and the use of racial epithets, and the implementation of school policies, such as suspensions, expulsions, and tracking. What minority and lower-class students learn is that they are not much valued in school and in the wider society as well.

Cultural and Structural Arguments: A Synthesis

A review of both the cultural and structural arguments leads to the following kind of synthesis. In table 8 we present (a) propositions from each viewpoint, (b) the behavioral consequences such a proposition has for students, and (c) how schools can ameliorate these behaviors in an effective way.

Table 8. A synthesis of the cultural and structural arguments with educational consequences, and school solutions		
Propositions[1]	*Educational Consequences*	*School Solutions*
C1: Certain students from impoverished neighborhoods take oppositional stances to mainstream society and its institutions, including schools.	Low attachment to school; failure to see the benefits of school for their later socioeconomic success.	Schools and their employees should understand the community contexts and culture of students from which it draws its student population.
C2: Oppositional culture takes on a variety of norms, behaviors, and expectations. Some important ones include (1) respect, (2) acting tough/proclivity for violence, (3) acquisition of valuable property, and (4) oppose mainstream institutions, including education.	Students act menacing, react to slights with aggressive, even violent behavior, disdain authority.	Educators should understand the significance of these behaviors and use them as "teachable" moments.
C3: Many young people who take on the culture of opposition, make it a permanent part of their self-image.	Failure to "switch" behavior from community context to school context.	Educators should assist students understand the value of "switching" behavior depending on the behavior.

[1] The C in front of a proposition refers to the Cultural argument, and an S refers to the Structural argument.

Table 8, continued: A synthesis of the cultural and structural arguments with educational consequences, and school solutions		
Propositions[1]	*Educational Consequences*	*School Solutions*
S1: Schools are mainstream institutions whose main function is to evaluate, process, sort and maintain the stratification or system of structured inequality.	A significant proportion of schools are organized in such a model that is more like a business or factory than an child-freiendly, nurturing environment.	Schools should be friendly, child-centered, nurturing environments, that also hold students accountable and responsible for their actions.
S2: Educators have low expectations of certain race/ethnic/lower class students. Educators expectations affect how they interact and evaluate students.	Low expectations affect how educators process, educate and evaluate students. Low expectations leads to negative experiences for students.	A school culture that expresses a notion that all students can learn is more effective.
S3: Students who are labeled low achieving are tracked into courses that fail to educate students.	A significant proportion of ethnic/racial minorities and lower class children are low tracked.	Schools should maintain a culture of high expectations for all students, and it should provide high quality instruction for all students regardless of their track.
S4: Students who are labeled and low tracked developed low self-images and fail to attach themselves to schools, its norms, and its rituals.	The lack of attachment to school means that students may not follow norms, rules and regulations.	Schools should make great efforts to form bonds between students and schools.
S5: Low attachment, and the failure to see the benefit of an education, leads to attachment to oppositional culture by some race/ethnic/lower class students.	Students who behave in an oppositional manner are more likely to be threatening to educators and are thus more likely to be sanctioned.	Educators need to understand why some students act as they do, and to help them understand that their behavior appears threatening and is not appropriate in school, especially with individuals who do not understand such behavior.

[1] The C in front of a proposition refers to the Cultural argument, and an S refers to the Structural argument.

Generally, the information in Table 8 can be summarized in two statements. First, that in terms of culture, schools and their employees must come to understand the context and reasons some students act in an oppositional manner and use that information to (a) educate students about what it means and how it is perceived to school employees, (b) develop rituals and strategies for increasing the likelihood of students bonding to school, (c) develop strategies for students to see the value of school for their later socioeconomic success.

Second, in terms of structure, schools should (a) create a culture where all educators believe and act as though all students can learn, (b) develop a culture that is child-centered, nurturing, and fair yet holds students accountable and has high standards, (c) provides high quality instruction for all students, regardless of their tracking level.

Recommendations for Sound Zero Tolerance Policies

We have a few recommendations for educators and policymakers about zero tolerance policies. Our recommendations are offered with full knowledge that schools must be safe and orderly environments in order to children to learn. Our concern is not in abandoning school discipline, but in shaping discipline so that it has a number of attractive characteristics: reasonable, equitable, understanding, and offer alternatives to expulsion and suspension.

Zero tolerance policies must be reasonable. By reasonable we mean that such policies should take into consideration the (a) long term effects on the student, (b) the right for all children to be educated, and (c) should fit the behavior. For example, if a student's behavior is perceived as threatening, perhaps a sanction aimed at calming all participants and some direct conversation between student and teacher where both provide explanations about their perceptions and reaction is in order. Teachable moments are important.

Zero tolerance policies must be equitable. That is, while the concept, the child, and the behavior need to be taken into account, similar behaviors exhibited by all students must be addressed in a similar fashion. It is unfair and inequitable to offer different sanctions to students engaged in similar types of behavior. Not only do students sense the inequity

involved in such behavior by adults, but lessens attachments to schools and to the legitimate authority of adults in the school.

It is crucial that an understanding of contexts influence the development of zero tolerance policies. Educators need to understand the cultural milieu from which they draw their student populations. Moreover, educators need to make it clear to students that certain kinds of behavior and demeanor influence educators' perceptions about students and thus educators' reaction. Common understanding between educators and students is an important underlying factor of sound zero tolerance policies.

Finally, zero tolerance policies should not be primarily punitive. Alternatives to expulsion and suspension need to be part of the package. Some alternative sanctions that are child-centered include community service, alternative educational environments, or school service programs.

V. Conclusion

As student behavior continues to present challenges for school officials and education employees, many have turned to policies that may exacerbate rather than resolve inappropriate student behavior. One such policy has been zero tolerance. While a vast majority of schools have some type of zero tolerance policy in place, there is mounting evidence that such policies are neither effective nor implemented in a manner that is child-centered or equitable. Such policies are meant to punish and not to educate children, but they also tend to disproportionately sanction ethnic-racial minority students.

That zero tolerance policies fail to accomplish what they are intended to do, and also create problems of equity raises a profoundly fundamental question about schools and the relationships they have with a large segment of their student populations. Schools fail to understand the contexts from which many of their students come, and students fail to understand that schools are not places where community-based behavior is appropriate. The culture of school is vastly different from the culture from which students originate. With this in mind, the purpose of our paper is to present a set of recommendations for the creation and implementation of sound school discipline policies, including zero tolerance policies. In pursuing this goal we focused on reviewing summarizing two bodies of research concerning the behavior of ethnic-racial minority and lower class students: the Cultural and Structural arguments.

Our review of both bodies or research suggested to us a number of strategies schools could take in addressing student behaviors. These strategies focused on either re-arranging the structure of schools and/or changing school culture to accommodate students whose behavior may seem inappropriate in school. Our recommendations have strong ties to both bodies of research.

In conclusion, the manner in which many zero tolerance policies are being implemented has caused many problems and raised issues about equity and their effectiveness. Our review of two bodies of research suggests a number of areas in which schools can move toward resolving issues regarding student behavior that are equitable, child-centered, and yet have high standards and hold students accountable. Essentially, we are urging educators to build quality, effective school environments.

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Endnotes

[1] Early research on gangs took a similar approach but over-emphasized the importance of the role of schools in the delinquent behavior of students (Cohen 1955). The argument by early gang researchers was that schools contributed to delinquency by alienating and frustrating youth with school policies and teacher/administrative behavior, e.g., labeling, tracking, grading. (See Lawrence 1998 for a review.)

[2] This section relies heavily on the work by Skiba and Peterson (19xx).

[3] The concept of being a "Vato" does not have an easy translation in English. However, the clearest translation is that one identifies with and associates with Chicanos, and that one maintain appropriate values and roles.

Table 1. Percent of public schools with zero tolerance policies by type of offense: 1996-97

	Types of Offenses					
	Violence	Firearms	Other Weapons	Alcohol	Drugs	Tobacco
All public schools	79	94	91	87	88	79

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

Table 2. Percent of schools with zero tolerance policies by type of offense and selected school traits: 1996-97

School Traits	Types of Offenses: Violence	Firearms	Other Weapons	Alcohol	Drugs	Tobacco
Instructional Level:						
Elementary	79	93	91	87	88	82
Middle	75	95	90	86	90	77
High Schl	80	96	92	86	89	72
School Enroll:						
LT 300	76	93	89	84	84	76
300-999	79	94	91	88	89	82
1,000+	86	98	93	85	92	72
Locale:						
City	87	97	95	89	91	83
Urban Frng	82	95	90	88	90	80
Town	71	90	86	82	83	77
Rural	76	94	92	88	89	78
Region:						
NE	78	89	90	83	84	79
SE	83	95	89	90	92	80
CN	72	93	88	82	83	75
WE	83	97	95	91	93	83
Per Min:						
LT 5	71	92	88	82	83	75
5-19	79	94	92	89	90	80
20-49	83	95	90	87	89	79
50+	85	97	94	90	92	83
Red. Lun:						
LT 20	76	92	88	86	87	77
20-34	77	94	90	87	88	82
35-49	79	97	95	89	92	81
70-74	80	95	90	85	88	79
75+	84	95	93	87	89	81

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

Table 3. Percentage of public schools with various types of security measures by selected school traits: 1996-97

School Traits	Visitors Sign In	Closed Campus For Lunch	Controlled Acces: buildings	Controlled Access: Grounds	Drug Sweeps	Random Metal Detectors	Students Pass Metal Detectors
	Security Measure						
All Schools	96	80	53	24	19	4	1
Per Min:							
LT 5	94	77	42	14	17	*	&
5-19	97	81	55	22	23	1	*
20-49	98	77	55	27	18	6	*
50+	97	84	63	38	18	9	4
Red. Lun:							
LT 20	94	74	50	18	17	1	&
20-34	99	77	51	19	20	3	*
35-49	96	80	49	25	22	5	*
70-74	95	85	57	27	22	4	1
75+	97	83	58	37	13	8	5

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

Table 4. Percentage of public schools reporting various levels of police presence on campus by selected school traits: 1996-97.

School Traits	*Police or law enforcement presence*				
	Stationed at school				
	30+ Hours	10-29 Hours	1-9 Hours	Not stationed, But available	None stationed At school
All Public Schools	6	1	3	12	78
Per Min:					
LT 5	1	1	3	10	85
5-19	6	1	3	10	80
20-49	7	1	2	13	77
50+	13	3	3	14	67
Red. Lun.					
LT 20	5	1	4	10	79
20-34	7	1	2	10	80
35-49	5	1	3	12	80
70-74	6	2	1	13	78
75+	8	2	4	14	72

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

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50+	13	3	3	14	67
Red. Lun.					
LT 20	5	1	4	10	79
20-34	7	1	2	10	80
35-49	5	*	3	12	80
70-74	6	2	1	13	78
75+	8	2	4	14	72

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

Table 5. Number and percentage of schools indicating specific actions taken against students: 1996-97

Infraction	Actions taken Total Number Taking Action	 Percent of Schools Taking Action
Possession of firearm	4,170	5
Possession or use of weapon Other than firearm	16,740	22
Possession, distribution or use of Alcohol or drugs, including Tobacco	20,960	27
Physical attacks or fights	30,160	39

Source: Kaufman, P., Chen, X., Choy, S.P., Peter, K., Ruddy, S.A., Miller, A.K., Fleury, J.K., Chandler, K.A., Planty, M.G., and Rand, M.R. Indicators of School Crime and Safety: 2001. U.S. Departments of Education and Justice. NCES 2002-113/NCJ-190075. Washington, DC: 2001.

Table 6. Summary of research on zero tolerance practices

Practice	General Findings
Metal Detectors	Ginsberg and Loffredo (1993): no difference between schools with or without metal detectors in terms of threats and physical fights.
Locker searches	No solid research available.
School surveillance	No solid research available.
School uniforms	Cohn (1996): district-wide school uniform policy in the Long Beach School District appears to have reduced the number of inappropriate social behaviors. Murray (1997): higher student ratings of the school climate on seven of ten dimensions in schools with a uniform policy. Behling (1994): uniforms created a more businesslike school environment. Both students and teachers tended to rate students in uniforms as better behaved, exhibiting greater achievement than students not wearing uniforms. Sher (1996) and Ske (1996): teachers, but not students, indicate that uniforms enhance school safety.
Security personnel	Schreiner (1996): officers who bond with individual students can have a positive effect on them. Devine (1995): in some schools, school officers have been accused of inappropriate behavior, such as contributing to drug abuse and sexual harassment. Hylton (1996): no literature on the training of security guards and their need to be effective in working with children. Generally not solid research on the effectiveness of security guards for reducing school crime and violence.

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